

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

LARRY E. CHARLES and	:	Case No. 19-10095-TPA
SHIRLEY M. CHARLES,	:	Chapter 12
Debtor(s).	:	Related to Doc. No. 51, 57, 58
	:	Hearing: July 10, 2019 at 12:00 P.M.

NOTICE AND ORDER SCHEDULING
CHAPTER 12 PLAN CONFIRMATION HEARING

The *Order to Show Cause* (Doc. 49) currently pending against the Debtors was issued on May 9, 2019 and is scheduled for hearing for June 20, 2019, for their failure to timely file a Plan. A prior *Order to Show Cause* has already been issued in this case for the Debtors' potential abuse of the bankruptcy process which was vacated based on the Debtors' statements that they will make every effort to have a successful Chapter 12. The Debtors' failure to timely file a Plan runs contrary to this promise.

The Debtors have since filed a Chapter 12 Plan which contains some deficiencies. The Plan calls for the Internal Revenue Service to be paid at 0% interest, which will most certainly result in an objection since the statutory interest rate is currently 6%. The only feasibility information included in the *Disclosure Statement* is a paragraph describing the Debtors' dairy operation and general statements about the Debtors' off-farm employment and income. As Counsel for the Debtors is aware, the Court requires more detailed financial information, including Historical Income Statements for the twelve months prior to Plan filing, and Projections for the twelve months after Plan filing. Nevertheless, the Court shall proceed on a parallel course, and schedule the Plan for hearing, assuming the *Order to Show Cause* is resolved. Therefore.

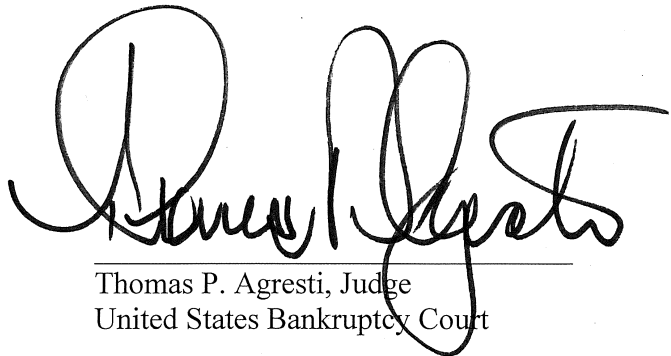
AND NOW, this 4th day of *June, 2019*, the Debtors having filed a *Chapter 12 Plan* dated May 16, 2019 at Doc. No. 51, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

(1) On *July 10, 2019* at *12:00 P.M.* a Pre-Confirmation hearing on the *Chapter 12 Plan* will be held in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.

(2) *On or before June 25, 2019* all *Objections* to the *Chapter 12 Plan* shall be filed and served on all Parties.

(3) *On or before June 14, 2019* the Debtors shall file, with the appropriate coversheet, Income/Cash Flow Projections of the Debtors for the next twelve months and Historical Income/Cash Flow statements for the twelve months prior to Plan filing.

(4) *On or before June 7, 2019*, the Debtors shall serve this Order and, if the Debtors have not already done so, the *Chapter 12 Plan* and related documents on all Parties and file a *Certificate of Service*.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Larry E. Charles
Shirley M. Charles
Debtors

Case No. 19-10095-TPA
Chapter 12

CERTIFICATE OF NOTICE

District/off: 0315-1

User: lfin
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 04, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 06, 2019.

db/jdb +Larry E. Charles, Shirley M. Charles, 1407 Deckards Run Road, Cochranton, PA 16314-9343

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 06, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 4, 2019 at the address(es) listed below:

Brian C. Thompson on behalf of Joint Debtor Shirley M. Charles bthompson@ThompsonAttorney.com, blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com
Brian C. Thompson on behalf of Debtor Larry E. Charles bthompson@ThompsonAttorney.com, blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com
David A. Scott on behalf of Creditor CNH Industrial Capital America LLC scott@lg-law.com
James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6